IN THE HIGH COURT OF JUDICATURE,

ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO : 3946 of 2003

Between:

A.L.Ramana Kumar s/o Chandrasekhara Rao, aged 38 years, Occ:Non-Technical Work Inspector Grade-IV, O/o Executive Engineer, Panchayat Raj, Guntur.

..... PETITIONER

AND

1. The Superintending Engineer, Panchayat Raj Circle, Guntur.
2. The Executive Engineer, Panchayat Raj, Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order direction or writ particularly one in the nature of writ of Mandamus or any other appropriate writ by setting aside the order passed by the Hon'ble A.P.Administrative Tribunal in O.A.No.2407 of 1994 and batch dated 06-01-2003; by declaring the Proceedings No.A2/3040/93, dated 04-05-1994 as illegal, arbitrary and consequently direct the respondents to continue the petitioner in service with all attendant benefits and pass such further or other orders as the Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.SOORAM PRABHAKAR REDDY.

Counsel for the Respondents : GP FOR SERVICES II.

The Court made the following :

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI M.VENKATESWARA REDDY

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W.P.NO.3946 OF 2003

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ORAL ORDER:

(Per the Hon'ble Sri Justice J.Chelameswar)

When the matter is taken up for hearing it is submitted by the learned Government Pleader for Panchayat Raj and Rural Development as well as the learned counsel for the writ petitioner that the issue involved in the present writ petition is squarely covered by an unreported Division Bench judgment of this Court in Writ Petition No.26229 of 2003 dated 19th March 2004 and therefore, instead of going into the merits of the miscellaneous petition, writ petition itself can be disposed of in terms of the said judgment.

In view of the above submission, recording the same, present writ petition is disposed of setting aside the order of the Tribunal in question, remitting the matter back to the Tribunal for passing appropriate order on merits. No costs.

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J.Chelameswar, J

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M.Venkateswara Reddy, J

14th June 2005.

mrk

To

1. The Registrar, A.P.Administrative Tribunal, Hyderabad.
2. The Superintending Engineer, Panchayat Raj Circle, Guntur.
3. The Executive Engineer, Panchayat Raj, Guntur.
4. Two CCs to the G.P. for Services-II, High Court of A.P., Hyderabad (OUT).
5. Two CD copies.

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